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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/712,978	11/12/2003	Richard Baron	AVERP3423USB	7346	
7.	590 02/09/2005		EXAM	EXAMINER	
Neil A. DuChez			TARAZANO, DONALD LAWRENCE		
Renner, Otto, Boisselle & Sklar, LLP			ART UNIT	PAPER NUMBER	
Nineteenth Floor				· A DA NOMBER	
1621 Euclid Av			1773		
Cleveland, OH 44115-2191			DATE MAILED: 02/09/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	- (0				
Advisory Action	10/712,978	BARON ET AL.					
Before the Filing of an Appeal Brief	Examiner	Art Unit					
	D. Lawrence Tarazano	1773					
The MAILING DATE of this communication appe							
			1633				
HE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.  .  The reply was filed after a final rejection, but prior to filing a Notice of Appeal. To avoid abandonment of this application,							
applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:							
a) $\boxtimes$ The period for reply expires $\underline{3}$ months from the mailing date of the final rejection.							
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.							
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).							
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
NOTICE OF APPEAL  2. The reply was filed after the date of filing a Notice of Appeal, but prior to the date of filing an appeal brief. The Notice of Appeal							
was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).							
<u>AMENDMENTS</u>	·	. ,					
3. The proposed amendment(s) filed after a final rejection,			because				
(a) They raise new issues that would require further consideration and/or search (see NOTE below);							
(b) They raise the issue of new matter (see NOTE below	ow); ttor form for annual by materially r	aduaina ar aimplifuina	the issues for				
(c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or							
(d) ☐ They present additional claims without canceling a		ejected claims.	•				
NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.116 and 41.33(a)).  4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).							
5. Applicant's reply has overcome the following rejection(s):							
<ol> <li>Newly proposed or amended claim(s) would be a the non-allowable claim(s).</li> </ol>	allowable if submitted in a separate	, timely filed amendn	nent canceling				
7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.							
The status of the claim(s) is (or will be) as follows: Claim(s) allowed: 3,4,18-32 and 34-47.							
Claim(s) objected to:							
Claim(s) rejected: <u>1, 2, 3-13, 15-17, 33, 48-52</u> .							
Claim(s) withdrawn from consideration:  AFFIDAVIT OR OTHER EVIDENCE							
<ol> <li>The affidavit or other evidence filed after a final action, b because applicant failed to provide a showing of good ar and was not earlier presented. See 37 CFR 1.116(e).</li> </ol>	ut before or on the date of filing a land sufficient reasons why the affidation	Notice of Appeal will vit or other evidence	not be entered is necessary				
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under appe ry and was not earlier presented.  \$	eal and/or appellant fa See 37 CFR 41.33(d)	ails to provide a (1).				
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	on of the status of the claims after	entry is below or atta	ched				
11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:							
12. Note the attached Information Disclosure Statement(s).  13. Other:	(PTO/SB/08 or PTO-1449) Paper	No(s)	X				
		D. Lawrence Taraz Primary Examiner Art Unit: 1773	ano				

Continuation of 3. NOTE: the term "copolymers" is confusing here since there are both addition and condensation polymers and it is very difficult to make copolymers of these different classes of polymers.

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